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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,489	11/12/2003	Sharon Duvdevani	U 014859-9	7213

140 7590 11/22/2006

LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NY 10023

EXAMINER

BALI, VIKKRAM

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 11/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/706,489

Applicant(s)

DUVDEVANI ET AL.

Examiner

Vikram Bali

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/27/2006 has been entered.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Israel on 8/5/1999. It is noted, however, that applicant has not filed a certified copy of the Israel document Number 131282 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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2. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Meisberger et al. (US 5578821).

Regarding claims 1 and 9, Meisberger discloses for each of a plurality of types of local characteristics, each type occurring at least once within electrical circuitry to be inspected (see figure 2, numerical 65 die area "local characteristic" and numerical 64 die "electrical circuitry", Col. 4, lines 50-55), identifying at least one portion of interest within the electrical circuitry whereat the local characteristics are expected to occur (Figure 2; numerical 65 the die area that is the care area or call the significant area that is to be inspected "portion of interest") and inspecting an image of each portion of interest using an inspection task selected **from among a plurality of different inspection tasks** in response to the type of local characteristic expected to occur, (see figure 1, numerical 54 database having the data base of the images with the good images of the portions to be inspected and numerical 56, the defect processor for comparison of the images in order to detect the defect, also see col. 5, lines 5-11, it states that the die is compared with the simulated signal derived from the database adapter 54 for the corresponding swath, i.e. for specific swath signal there is specific signal to be compared to, this is read as "inspection task selected from among a plurality of different inspection tasks in response to the type of local characteristic").

Regarding claims 2 and 10, he further discloses, the local characteristics includes a chip area, (see figure 2, numerical 65) as claim.

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Regarding claims 3 and 11, he further discloses the identifying of at least one portion of interest comprises identification of at least one spatial region within the electrical circuitry (col. 4, lines 60-65).

Regarding claims 4-6 and 12-14, he further discloses identification of at least one spatial region is at least partly based on a user input, a computer generated input or partly based on a computer generated input, (see col. 4, lines 50-65 and col. 3, lines 45-50, states that all the inputs are computer generated and also, the inputs can be interrupted by the user any time i.e. the inputs are partly in putted by the user of partly computer generated) as claimed.

Regarding claims 7 and 15, he further discloses computer-assigning (Figure 1) an inspection task to at least one individual portion of interest in response to the type of local characteristic expected to occur in the individual portion of interest (Col. 4, lines 45-67).

Regarding claims 8 and 16, he further discloses outputting at least one indication of defects responsive to the inspecting step (col. 14, lines 36-37, the pixels are flagged as defective).

Response to Arguments

3. Applicant's arguments filed 10/27/2006 have been fully considered but they are not persuasive. Applicant argues that the newly added limitation in claims 1 and 9 is not disclose in the reference Meisberger, examiner disagrees. Please see the rejection of claims 1 and 9 above.

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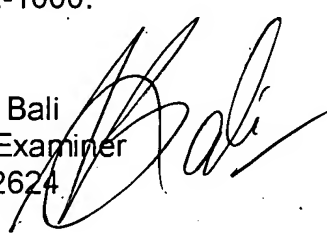
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vikkram Bali whose telephone number is 571.272.7415.

The examiner can normally be reached on 7:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571.272.7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vikkram Bali
Primary Examiner
Art Unit 2624



vb
November 16, 2006